

**AMENDMENTS TO THE DRAWINGS**

Applicant submits herewith a new drawing sheet for new FIG. 6 to be added to the present application. New FIG. 6 is a flow diagram illustrating the operations recited in claim 31. Support for the drawing changes can be found, e.g., at page 24, lines 16-28 of the present application. No new matter has been added by way of this amendment.

### **REMARKS**

This Amendment is responsive to the Office Action dated November 17, 2005.  
Applicant has added new claims 44-50. Claims 31-50 are pending.

#### **Information Disclosure Statement**

As a preliminary matter, Applicant notes that the Office Action did not include a copy of an initialed 1449 form indicating the Examiner's consideration of the references cited in the Information Disclosure Statements filed October 7, 2003.

#### **Objection under 37 C.F.R. 1.83**

The Examiner objected to the drawings on the basis that the drawings do not show every feature of claim 31. Applicant respectfully traverses this objection. In the interest of expediting prosecution toward immediate allowance, however, Applicant has submitted a new drawing (FIG. 6) that shows the features of claim 31. Applicant respectfully requests that the Examiner approve the new drawing, and withdraw the objection under Rule 83.

#### **Amendment to Specification**

Applicant has amended the specification to refer to new FIG. 6. In addition, Applicant has amended the specification to indicate the claim of priority of the present application as a divisional of U.S. application no. 09/259,579, filed March 1, 1999. Applicant has already made such an amendment in the transmittal letter filed with the present application on July 2, 2003. In addition, the filing receipt, PAIR, and the pre-grant publication of the application correctly recognize the status of the application as a divisional. However, the amendment to the specification did not appear in the specification of the pre-grant publication of the application. Accordingly, Applicant again submits the amendment to ensure that it appears in the specification of any patent granting from this application.

#### **Claim Rejection Under 35 U.S.C. § 112**

The Examiner rejected claims 31-43 under 35 U.S.C. 112, first paragraph, as failing to provide an enabling disclosure. In support of the rejection, the Examiner stated that the specification does not "show how local black points are obtained." The Examiner also stated

that the specification does not show “why transforming through Bradford matrix provides modified responses of cones of the human eye” and the “relationship between [the] Bradford matrix and responses of the human eye.”

Applicant respectfully traverses this rejection. The disclosure provides sufficient detail to enable one of ordinary skill in the art to make and use the claimed invention without undue experimentation. One of ordinary skill in the art of color imaging would have no difficulty making and using the claimed invention, given the content of the disclosure and the knowledge attributable to such a person. Therefore, the rejection under section 112, first paragraph, should be withdrawn.

The concept of black point is well known to one of ordinary skill in the art of color imaging. Indeed, such a person would consider obtaining black point values to be routine. In addition, those of ordinary skill in the art of color imaging are very familiar with the Bradford chromatic adaptation transform, as well as other chromatic adaptation techniques such as von Kries transformation. The relationship between chromatic adaptation and the response of the human eye is well understood by those skilled in the art of color imaging.

Black point refers to the darkest color value reproducible by a particular imaging device. For a subtractive (i.e., reflective) print, for example, black is the darkest color that can be produced by deposition of one or more colorants on a print medium. For an emissive display device, black point refers to the lowest RGB values capable of representation on the display device. In either case, one of ordinary skill in the art would know that such values can be readily obtained by measuring such values on a print or display using conventional color measurement devices. Alternatively, such values may be obtained from data file containing previously obtained values.

The human eye dynamically adapts its response to different viewing conditions, such as the level of illumination. In particular, the human eye is able to adjust for different illumination characteristics to preserve the appearance of an object. Those skilled in the art of color imaging refer to this intrinsic process of the human eye as chromatic adaptation. Imaging systems do not have the intrinsic ability to adapt to illuminant conditions.

To ensure accurate reproduction of color, imaging systems typically include a chromatic adaptation transform that converts input colors captured under an input illuminant to corresponding output colors under an output illuminant. Examples of widely used

chromatic adaptation transforms are the von Kries chromatic adaptation model and the Bradford chromatic adaptation transform. Those of ordinary skill in the art of color imaging are well familiar with such transforms and the manner in which they represent the modified responses of the cones of the human eye.

In view of the well known status of chromatic adaptation transformation techniques among those skilled in the art of color imaging, and the routine steps involved in obtaining black point values for an imaging device, as known to those skilled in the art, Applicant's disclosure clearly provides a description sufficient to enable one skilled in the art to make and use the invention defined by claims 31-50. Therefore, Applicant respectfully submits that the rejection under section 112, first paragraph, is incorrect, and should be withdrawn.

#### **New Claims**

Applicant has added claims 44-50 to the pending application. The applied references fail to disclose or suggest the inventions defined by Applicant's new claims, and provide no teaching that would have suggested the desirability of modification to arrive at the claimed inventions. No new matter has been added by the new claims.

#### **CONCLUSION**

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 05-0225. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.